

REMARKS

Applicant thanks the Examiner for considering the references cited with the Information Disclosure Statement filed on December 23, 2003.

Applicant also thanks the Examiner for acknowledging the claim for priority under 35 U.S.C. § 119 and receipt of a certified copy of the priority document.

Objections to the Claims

The Examiner has objected to claims 1-10 for various informalities. With regard to claim 1, the Examiner indicates that the phrase "said blocks" refers to "continuous blocks of a fixed length." Therefore, the Examiner suggests that the phrase in "said blocks" be changed to "said continuous blocks." Applicant has amended claim 1 to recite "continuous blocks" as appropriate.

Claims 7 and 9 have been canceled without prejudice or disclaimer.

With regard to claim 8, the Examiner indicates that the phrase "said blocks" refers to "blocks of a fixed length." The Examiner suggests that the phrase in "said blocks" be changed to "said blocks of a fixed length." Applicant has amended claim 8 to recite "blocks of fixed length" as appropriate.

Finally, in claim 10, the Examiner indicates that the phrase "said blocks" refers to "continuous blocks having a fixed length," and suggests that the phrase "said blocks" be changed to "said continuous blocks of a fixed length." Applicant has amended claim 10 to recite "continuous blocks having a fixed length" as appropriate.

Claims 2-6 have been objected to since they depend from claim 1.

Applicant has amended claims 1, 8 and 10 to correct the above-noted informalities.

Applicant respectfully requests that the objections to claims 1-6, 8 and 10 be withdrawn.

Claim Rejections

Claim 1 --- 35 U.S.C. § 112

Claim 1 has been rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. The Examiner alleges that the phrase "said valid blocks" lacks antecedent basis.

Applicant has amended claim 1 to recite "valid continuous blocks" in place of "said valid blocks," thereby eliminating the alleged lack of antecedent basis. Applicant respectfully requests that this rejection be withdrawn.

Claims 1, 2, 4 and 7-13 --- 35 U.S.C. § 103(a)

Claims 1, 2, 4 and 7-13 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over U.S. Pat. No. 6,388,994 to Murase ("Murase").

As noted above, claims 7 and 9 have been canceled without prejudice or disclaimer, thereby rendering their rejections moot.

Applicant has amended claims 1, 8 and 10 to recite that the at least one stage of relay devices for receiving said continuous blocks and said idle blocks discards the idle blocks and continuous blocks containing bit errors to extract only valid continuous blocks. Claim 12 has been amended to recite that continuous blocks containing bit errors are deleted within the transmission system. Applicant respectfully submits that these amendments are supported throughout the specification. No new matter has been added.

Murase does not disclose or suggest at least the above features. Murase is directed to a packet switching network including a transmitting station, an ATM switching system and a receiving station (Abstract). Murase's transmitting station includes a traffic rate controller and a

dummy data generator (column 4, lines 40-44). Murase also discloses that the traffic rate controller may be installed in relaying stations such as the ATM switching system (column 5, lines 1-4).

However, Murase does not disclose or suggest that the relay station receives continuous blocks and idle blocks and discards the idle blocks and continuous blocks containing bit errors to extract only valid continuous blocks, as set forth in the claims. Applicant submits that the above-noted features claimed by Applicant would not have been obvious to one of ordinary skill in the art at the time the invention was made based on the disclosure of Murase.

Accordingly, claims 1, 8 and 10 are patentable over the prior art. Claims 2 and 4, which depend from claim 1, and claim 11 which depends from claim 10, are patentable at least by virtue of their dependence. Claim 12 contains features similar to the features recited in claim 1 and is therefore patentable for similar reasons. Claim 13, which depends from claim 12, is patentable at least by virtue of its dependence.

Claims 3, 5 and 6 --- 35 U.S.C. § 103(a)

Claims 3, 5 and 6 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Murase in view of U.S. Pat. No. 7,245,633 to Mueller ("Mueller"). Applicant traverses this rejection.

The combination of Murase and Mueller does not disclose or suggest that the at least one stage of relay devices for receiving said continuous blocks and said idle blocks discards the idle blocks and continuous blocks containing bit errors to extract only valid continuous blocks, as incorporated into claims 3, 5 and 6 by virtue of their dependence from claim 1. As established

above, Murase does not disclose or suggest such features. Mueller does not cure the deficiencies of Murase.

The Examiner relies on Mueller to allegedly disclose a multiplexing method for combining Gigabit Ethernet signals for transmission through SONET connections utilizing 8B/10B coding. Thus, Mueller does not disclose or suggest the above-noted features deficient in Murase. Therefore, it would not have been obvious to one of ordinary skill in the art at the time the invention was made to combine the references as attempted by the Examiner since the combination would not result in the features claimed by Applicant.

Accordingly, claims 3, 5 and 6 are patentable over the combination of Murase and Mueller.

New Claims

Applicant has added new dependent claim 14 which depends from claim 1, new dependent claims 15 and 16 which depend from claim 8, and new dependent claim 17 which depend from claim 10. Applicant submits that these new dependent claims are supported throughout the specification. No new matter has been added.

New dependent claims 14-17 are patentable at least by virtue of their dependence from claims 1, 8 and 10, which are patentable as established above.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

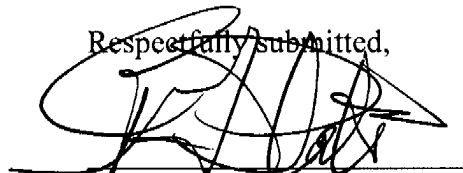
Amendment Under 37 C.F.R. § 1.111
U.S. Appln. No. 10/743,375

Atty. Docket No. Q79111

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Francis G. Plati, Sr.', written over a horizontal line.

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